

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re: Application of: VIAL, S.

Serial No: 09/889,535


Examiner: Prunner, K.

Filing Date: January 16, 2002

Group Art Unit: 3751

For: WRITING INSTRUMENT WITH VARIABLY INCLINABLE TIP

NOTICE OF APPEALMail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION I certify that the correspondence and the enclosures mentioned herein are being transmitted by facsimile to the Commissioner for Patents via facsimile number 703-472-8308.  Stephan P. Gribok, Reg. No. 29,643 <u>6-8-04</u> Date

Sir:

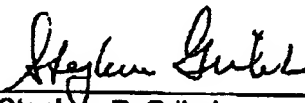
Applicant hereby appeals from the final rejection of claims 1-5, 8, 10-13, 16-21, 23-29 and 31-35 in the official action dated December 8, 2003 (Paper No. 15).

A petition for extension under 37 C.F.R. §1.136(a) and the required fees for the extension and this notice of appeal are submitted herewith.

Also submitted is a Response under 37 C.F.R. §1.116, filed concurrently herewith.

Respectfully submitted,

Date:

June 8, 2004

Stephan P. Gribok
Reg. No. 29,643
Duane Morris LLP
One Liberty Place, 1650 Market Street
Philadelphia, PA 19103-7396
tel. 215-979-1283
fax. 215-979-1020
SPGRIBOK@DUANEMORRIS.COM

Docket No. D4695-083

07/09/2004 L WASHING 00000001 041679 09809235

02 FC:1401 330.00 DA

PAGE 4/18 * RCVD AT 6/8/2004 6:11:41 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-1/0 * DNIS:8729308 * CSID: * DURATION (mm:ss):05:20